

# INTRODUCTORY LETTER

To the People of San Luis Obispo County:

June 2006

Each year in June, nineteen people are selected by the Superior Court from among citizen volunteers in San Luis Obispo County to serve for a full year as members of the Grand Jury. They come from all walks of life, bringing unique perspectives, interests and skills. Once sworn in, they begin training. During this period, they become acquainted, and, ideally, the kind of cohesive group, which allows for the flexibility needed to carry out their primary charge: to cast a 'spotlight' on local government.

Grand juries receive and respond to written complaints. They also carry out 'self-initiated' investigations, depending on the interests of the jurors. Underpinning each grand jury's work is the excellent support received from the Superior Court and county staff from the County Administrative Office, County Counsel, District Attorney, Auditor-Controller, and General Services Department. These agencies participate in training, provide technical and administrative support, cooperate in investigations and/or serve as consultants to the Grand Jury throughout the year.

Members of the 2005-06 Grand Jury were drawn from all areas of San Luis Obispo County, bringing diverse educational and professional experiences. The resulting mix of ideas and talents, combined with a high level of dedication and energy, produced reports of depth and scope. This was, also, a grand jury in which all members were computer literate.

This Grand Jury reached consensus early on that we wanted to improve relations with the media and gain additional coverage for reports. In this way, we were able to provide more timely and useful information to the public. Typically, when reports are published in a single document at the end of the year, only a few get media attention. A broad-based email group containing all local media outlets was established; each report was released as soon as it was completed, beginning in January. The response from local media was gratifying. We also began posting the

reports on the grand jury's web site as each was released. Thanks to the skill of this year's foreperson pro-tem, our web site has been redesigned and is now much easier to navigate.

Many citizens are understandably uninformed about how a grand jury operates. The following text is taken from an op-ed column published in The SLO Tribune in April 2006. It is repeated here for the benefit of readers who wish to know how grand jury reports are generated, or who may have an interest in serving on a future grand jury.

When citizens of the county apply for grand jury duty, they are interviewed by a judge before their name is forwarded for inclusion in the annual grand jury lottery. Questions about 'personal agenda' are part of that interview process. After the random selection process is complete, the jurors are sworn in and instructed in their charge by the presiding judge.

Jurors take an oath, which binds them to confidentiality regarding any grand jury matters, not just during their term, but for the rest of their lives. Grand jury confidentiality is required by law, (California Penal Code Section 924.1), and any juror willfully violating this law is guilty of a misdemeanor. Grand juries conduct proceedings behind closed doors, exactly as the law requires, primarily for the protection of people who come to grand juries with complaints or who testify during investigations. Each juror must also complete and sign a Form 700, Statement of Economic Interest.

Once a new grand jury is seated, the jurors spend about six weeks in training with various county and court officials, including the District Attorney, County Counsel, County Auditor, County Administrator and the Superior Court's Administrator and Jury Commissioner. Before jurors begin any investigations they also receive many hours of training on the grand jury handbook and attend an American Grand Jury Foundation workshop. Each grand jury sets up its own rules of proceeding and creates committees as appropriate for its scope of work. The current handbook and penal codes (including sections relevant to both civil and criminal grand juries) can be found on the grand jury's web site at [www.slocourts.net/grandjury/](http://www.slocourts.net/grandjury/)

After the jurors' training is complete, usually by mid-August, they begin work by reviewing any complaints received and also hold a brainstorming session to identify areas of common interest that might be the subject of self-initiated investigations (as opposed to complaint-driven investigations). Typically, a review is also done to learn what agencies of local government have not been looked at by prior grand juries in the recent past. In addition, each grand jury carries out inspections and reports on conditions in local prisons in the county.

The process of completing a grand jury report has a number of safeguards:

1. A committee must first develop an action plan, and present it to the full grand jury for review and approval. (Note: jurors with a conflict of interest are required to absent themselves from all activities on that topic of inquiry, and recuse themselves from all votes on the subsequent report.)
2. Once an investigation is complete, committees typically go through a number of drafts before bringing a final draft to the full grand jury for its review, input and eventual approval. This may take several passes.
3. The full grand jury must approve the final draft by at least 12 out of its 19 members.
4. As an extra precaution, the report is next forwarded to County Counsel for legal review and advice.
5. The report is then normally taken to the responsible government department for a review of the report's 'factual accuracy.' Input from this step is carefully considered and corrections are made as appropriate.
6. The final draft of the report is then submitted to the presiding judge of the Superior Court for review, and, subsequently, released.
7. When the grand jury's term is ended all of their files and documents are sealed by the court. Open investigations are never carried over from one grand jury to another.

Finally, while a report's findings are based on facts gathered by a grand jury, the conclusions and recommendations are the result of a grand jury's agreed-upon opinion and are presented as such for the consideration of the department or agency, which must respond within 60 days. No later

than 90 days after the jury submits a final report, the governing body of the public agency must comment to the presiding judge of the Superior Court on the findings and recommendations in the report.

Serving as a member of a grand jury is not for everyone. There is a need for diversity in both education and experience, but mostly there is a need to attract people with an interest in how government works, a willingness to spend the time and energy to do a good job working as a member of a team, and a capacity to listen and keep an open mind until all the facts are in. It is both a challenging and rewarding experience to serve as a member of a grand jury. Each grand jury leaves its own unique mark on the life of our community. The members of the 2005-06 Grand Jury hope that readers find this Final Report both informative and thought-provoking.

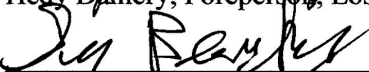
## **Special Acknowledgements**

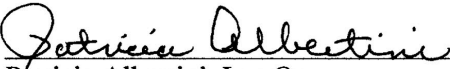
- The Grand Jury wishes to thank the members of our local and regional media outlets for their valuable assistance in publicizing our reports. Without their interest and support, only a fraction of the public would be aware of our work.
- We express our appreciation to former Presiding Judge Michael Duffy and current Presiding Judge Roger Picquet for their excellent guidance and support during this Grand Jury's term.
- We thank the staff members of local government agencies for their cooperation and assistance to the Grand Jury in carrying out our inquiries. The Grand Jury believes that the county agencies we reviewed this year are, on the whole, serving the public with efficiency and dedication.
- We thank AGP Video of Morro Bay for providing the Grand Jury, free of charge, tapes of the weekly Board of Supervisors' meetings.

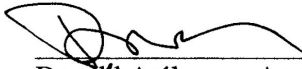
- We express special thanks to Sylvia Martinez, Administrative Assistant to the Grand Jury, for her able and unfailingly cheerful support of all of us during the past year.


- And, finally, we thank those members of the public who took the time and trouble to send in their concerns and complaints to the Grand Jury during the past year. Citizen participation is the essence of good government.

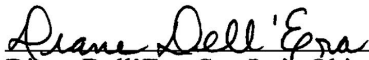
  
Hedy Damery, Foreperson, Los Osos


  
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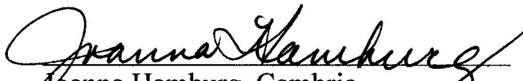
  
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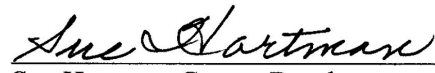
  
Diane Dell'Era, San Luis Obispo

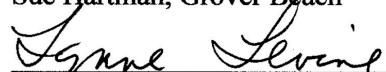
  
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Theodore Gauldin, Arroyo Grande

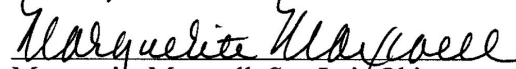
  
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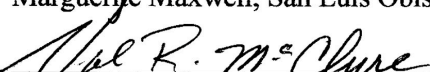
  
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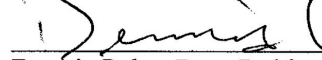
  
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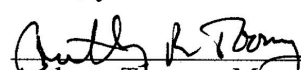
  
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